

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN NORTHER DIVISION

**SHARON CURTIS
JANETTE CURTIS, individually
and as guardian and conservator for
Sharon Curtis**

PLAINTIFFS

V

Case No: 1:23-CV-12859

Hon: Thomas L. Ludington

**DEUTSCHE BANK NATIONAL TRUST COMPANY,
As Trustee for Quest Trust 2005-X1,
Asset Backed Certificates Series 2005-X1,
OCWEN LOAN SERVICING, LLC
A Foreign Limited Liability Corp.
PHH MORTGAGE SERVICES, LLC
A foreign Profit Corp.
NEW REZ, LLC
A Foreign Limited Liability Corp.**

**Jointly and severally
DEFENDANTS**

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**PLAINTIFF'S OBJECTIONS AND RESPONSE TO DEFENDANT'S
SUMMARY DISPOSITON**

NOW COMES the Plaintiffs, SHARON CURTIS and JANETTE CURTIS individually and as guardian and conservator on behalf of SHARON CURTIS in objections and response to Defendants state as follows:

OBJECTIONS:

1. Defendants have engaged in improper conduct during the course of this litigation and Plaintiffs have continually acted in good faith. Plaintiff objects to this order denying the motion was filed at 1:07am. The order did NOT provide any opportunity for Plaintiff to obtain new counsel. Oddly, Defendants had planned to file their now pending motion last week, but did not do so. Oddly their position is greatly helped by this turn of events.
2. Plaintiffs have been ready willing and able to close this loan for years. Defendants have repeatedly failed to provide documentation to accurately prove the loan balance. The court in the Order entered on 7/7/25 [docket entry 47] claims that the “*rather than redeem the property for \$39,900.00 – the redemption price in Deutsche Bank’s statutorily required purchaser’s affidavit, see id, at PageID,1225—Sharon and her daughter, Plaintiff Janette Curis launched a champaign of litigation that has driven Sharon’s loan payoff amount to nearly \$100,000.00*” This statement demonstrates that the court does NOT understand the basis of the Complaint. First, the

property was not redeemed as at the time the Curtis' did not have the funds.

Second, the property was originally to be returned as Trott attorney Albu advised that Trott would be rescinding the sale. Third, delays in closing this matter have repeatedly been solely the fault of Defendants. Plaintiffs are filing a formal complaints due to the deceit, fraud and improper conduct that have occurred in this matter. Defendants have failed to EVER provide insurance information to support their alleged payoff which is WHY in large part the loan has increased, not interest.

3. Plaintiff and Plaintiff counsel did diligently seek replacement counsel and, at one point, did in fact find such counsel, only to have Judge Hovey STRONGLY discourage them from taking the case. After that, the attorney would not return calls to Plaintiff or Plaintiff counsel.

RESPONSE TO MOTION:

Plaintiff disputes the claims made by Defendant which are clearly contrary to evidence and public record. Defendant is a known bad actor and could have ended this litigation two years ago by producing an accounting and payoff. A claim that a mortgagor is not entitled to an accounting of their funds is a blatantly false statement and contrary to both State and Federal Law. Further, the charges are usurious and contrary to law. Plaintiff counsel, remains on medical leave (documentation was previously provided to this Honorable Court), but will

supplement this response as, again, the Order was filed at 1:07 AM with no timeframe to have replacement counsel step in. Oddly filing at this time could easily have been missed by counsel.

WHEREFORE, Plaintiff respectfully requests that Defendant's motion be denied and that Plaintiff's be granted relief as set forth in this response, including specific performance of a payoff consistent with the actual supported numbers and any other relief deemed appropriate by this Honorable Court.

Respectfully submitted,

By: /s/ Valerie A. Moran
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Date: July 7, 2025

